

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

|                           |   |           |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, | ) |           |
|                           | ) |           |
| Plaintiff,                | ) | 8:07CR232 |
|                           | ) |           |
| v.                        | ) |           |
|                           | ) |           |
| LUIS AGUILAR,             | ) | ORDER     |
|                           | ) |           |
| Defendant.                | ) |           |
| _____                     | ) |           |

This matter is before the Court on the report and recommendation of the magistrate judge (Filing No. 20), recommending defendant's motion to suppress (Filing No. 11) be denied, and defendant's objections to said report (Filing No. 21). The Court has reviewed transcript of the suppression hearing (Filing No. 19), the magistrate judge's report and recommendation, and defendant's objections and brief and finds said report and recommendation should be approved and adopted. Accordingly,

IT IS ORDERED:

1) The report and recommendation of the magistrate judge is approved and adopted.

2) Defendant's motion to suppress is denied;

3) Trial of this matter is scheduled for:

**Monday, December 10, 2007, at 9 a.m.**

in Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18<sup>th</sup> Plaza, Omaha, Nebraska. The parties will have time to

prepare for trial or pursue plea negotiations, and the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between November 14, 2007, and December 10, 2007, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C.

§ 3161(h)(8)(A) & (B).

DATED this 14th day of November, 2007.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court